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August 16, 2010

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

Re: Monthly Progress Report No. 39 – July 2010
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On July 14, CPG and EPA held a conference call to discuss small foraging fish collection.
- On July 15, CPG and EPA held a conference call to discuss CPG's RI/FS Trust payment proposal.
- On July 19, CPG and EPA held a conference call to discuss small foraging fish collection.
- On July 21, CPG and EPA held a meeting to discuss project status.

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 On July 27, CPG and EPA held a conference call to discuss the Agency's request to collect additional non-target small freshwater foraging fish during the focused small freshwater foraging fish collection survey.

Correspondence

- On July 6, EPA requested that the CPG retain samples gathered in the course of sampling activities under the Settlement Order, until the CPG has transmitted and the EPA has reviewed and accepted the validated results from the associated sampling events.
- On July 13, CPG notified the EPA that an eel from the EPA split sample set for the fish tissue study appeared to be decomposing and recommended that this sample be excluded from analysis.
- On July 15, CPG submitted the June 2010 Monthly Progress Report to EPA.
- On July 15, EPA approved the removal of the Physical Water Column Monitoring (PWCM) moorings from the LPRSA and Newark Bay Study Area (NBSA).
- On July 16, EPA provided CPG comments on the draft Fish QAPP Addendum No. 2 covering the Avian Community Survey.
- On July 16, CPG requested additional information pertaining to the AXYS dioxin split sampling analyses from EPA.
- On July 16, CPG provided serial numbers for ADCP units from the onwater contractor for the PWCM program to EPA.
- On July 26, CPG submitted a revised draft Benthic QAPP Addendum No. 2 for the collection of co-located sediment samples to EPA.
- On July 27, CPG requested additional information from the EPA regarding fish collection requests from the EPA's oversight personnel.
- On July 27, EPA provided CPG comments on the first Electronic Data Deliverable (EDD) with validated data submitted by the CPG.
- On July 28, EPA's modeling contractor provided revised sediment transport model code to CPG's Modeling Team.
- On July 29, EPA's modeling contractor provided LPR/Newark Bay hydrodynamic model input files for water year 2009 to the CPG Modeling Team.
- On July 29, EPA provided CPG additional comments on the revised draft Benthic QAPP Addendum No. 2.



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Work

- CPG completed the spring/summer 2010 Fish Community Survey and supplemental small foraging fish collection on July 14.
- CPG concluded the spring 2010 PWCM deployment with a transect survey completed July 21 and the moorings removed from LPRSA and NBSA by July 26.
- CPG conducted a focused small freshwater foraging fish collection survey July 26 to July 28.
- CPG initiated the summer 2010 Benthic Community Survey on July 27.
- CPG Modeling Team continued work on the HydroQual SEDZL-JS Sediment Transport Model code.
- CPG continued reviewing the fall 2009 PCWM data.
- CPG and EPA modeling contractors exchanged phone calls and e-mails during the reporting period on processing of ADCP data collected during PWCM surveys.
- CPG continued planning activities for the Chemical Water Column Monitoring (CWCM) QAPP.
- CPG continued processing and chemical analysis of fish tissue samples.

(b) Results of Sampling and Tests

- On July 15, CPG submitted PWCM data from the moored YSIs for the mid-March 2010 to early May 2010 time period to EPA.
- On July 16, CPG submitted data collected pursuant to the 2009 Benthic Survey QAPP (sediment data) and 2009 Fish/Decapod Tissue QAPP (crab tissue data) to EPA.
- On July 19, an MEDD and Excel data tables for data validated in June 2010, representing PWCM samples collected during the March 2010 PWCM deployment event, and the associated field measurements taken at the time of sampling were posted to the PREmis Digital Library.
- On July 22, CPG submitted validated data collected pursuant to the 2009 Benthic Survey QAPP (sediment data) to EPA.



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(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will continue processing the 2010 Bathymetry Survey data.
- CPG will continue the summer 2010 Benthic Community Survey and collection of sediment samples co-located with the small foraging fish collection locations.
- CPG will conduct an Avian Community Survey.
- CPG will conduct a Habitat Survey.
- CPG will continue processing and chemical analysis of fish tissue samples.
- CPG will continue reviewing the fall 2009 PWCM data.
- CPG will continue planning activities for the CWCM and submit a QAPP for small volume sample collection to EPA.
- CPG Modeling Team will continue work on the SEDZL-JS Sediment Transport Model code.
- CPG will participate in monthly LPR/NB Modeling Program progress calls with EPA and EPA contractors.

(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

None encountered.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.

Project Coordinator

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cc: Pat Hick, EPA Office of Regional Counsel Alice Yeh, EPA
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